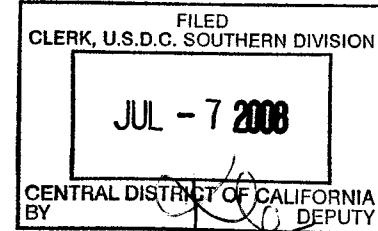


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4 I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
5 FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL *petitioner & the AG*
6 (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
7 RECORD IN THIS ACTION ON THIS DATE.

8 DATED: 7/7/08
9 *D. Holloman*
10 DEPUTY CLERK



16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 CESAR RODRIGUEZ, } Case No. CV 08-4325-R (RNB)
19 Petitioner, }
20 vs. } ORDER TRANSFERRING ACTION TO
21 JOHN F. SALAZAR, Warden, } UNITED STATES DISTRICT COURT
22 Respondent. } FOR THE NORTHERN DISTRICT OF
23 CALIFORNIA

24 Petitioner lodged for filing a Petition for Writ of Habeas Corpus by a Person
25 in State Custody herein on June 26, 2008. It appears from the face of the Petition that
26 petitioner is challenging a 2006 conviction sustained in Superior Court of California
27 for Humboldt County, which is located within the Northern District of California.
28 See 28 U.S.C. § 84(a).

29 A petition for writ of habeas corpus may be filed in the United States District
30 Court of either the judicial district in which the petitioner is presently confined or the
31 judicial district in which the petitioner was convicted and sentenced. See 28 U.S.C.
32 § 2241(d). Petitioner presently is confined at Chuckawalla Valley State Prison in
33 Blythe, which is located in Riverside County and thus within the jurisdictional
34 boundaries of this District (i.e., the Central District of California). See 28 U.S.C. §
35 84(c). Accordingly, jurisdiction exists in both the Northern and Central Districts.

1 When a habeas petitioner is challenging his underlying conviction or sentence,
2 the district court for the district in which the petitioner was convicted and sentenced
3 is a more convenient forum because of the accessibility of evidence, records and
4 witnesses. Thus, it generally is the practice of the district courts in California to
5 transfer habeas actions questioning state convictions/sentences to the district in which
6 the petitioner was convicted and sentenced. Although two districts have jurisdiction
7 to entertain the instant petition, any and all records, witnesses and evidence necessary
8 for the resolution of petitioner's contentions are more readily available in Humboldt
9 County. See Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Therefore, in
10 furtherance of the interest of justice,

11 **IT IS ORDERED** that the Clerk of this Court transfer this matter to the United
12 States District Court for the Northern District of California. See 28 U.S.C. § 2241(d).

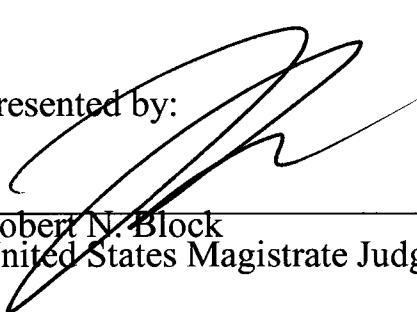
13 **IT IS FURTHER ORDERED** that the Clerk of this Court serve a copy of this
14 Order upon petitioner and upon the California Attorney General.

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16 DATED: July 7, 2008



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MANDEL L. REAL
UNITED STATES DISTRICT JUDGE

Presented by:



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Robert N. Block
United States Magistrate Judge



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

312 North Spring Street, Room G-8
Los Angeles, CA 90012
Tel: (213) 894-3535

SOUTHERN DIVISION
411 West Fourth Street, Suite 1053
Santa Ana, CA 92701-4516
(714) 338-4750

EASTERN DIVISION
3470 Twelfth Street, Room 134
Riverside, CA 92501
(951) 328-4450

SHERRI R. CARTER
District Court Executive and
Clerk of Court

To: Clerk, United States District Court

District of _____

Re: Transfer of our Civil Case No. _____

Case Title: _____

Dear Sir/Madam:

An order having been made transferring the above-numbered case to your district, we are transmitting herewith our file:

Original case file documents are enclosed in paper format.
 Electronic Documents are accessible through Pacer.
 Other: _____

Very truly yours,

Clerk, U.S. District Court

Date: _____

By _____
Deputy Clerk

cc: All counsel of record

TO BE COMPLETED BY RECEIVING DISTRICT

Please acknowledge receipt via e-mail to appropriate address listed below and provide the case number assigned in your district:

CivilIntakecourtdocs-LA@cacd.uscourts.gov (Los Angeles Office)
 CivilIntakecourtdocs-RS@cacd.uscourts.gov (Riverside Office)
 CivilIntakecourtdocs-SA@cacd.uscourts.gov (Santa Ana Office)

Case Number: _____

Clerk, U.S. District Court

Date: _____

By _____
Deputy Clerk